App. F. IX-4]

*Previous References.*

194 .
( )

File No. 2-41 A
Serial Nos. 7

*Later References.*

(11)

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.*

**Part B for** April 942

**SUBJECT.**

Delegation of powers under the Scheme of Evidia Rules.

WD 03999—GPB—500—11-9-41

Delegation of certain powers under the Defence of India Rules

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 . App. F. III-2

947/RL

Serial No.

From

The Deputy Commissioner and Civil Defence Commissioner, Kolar District

Letter No. J.C.1100/41-42 dated 15th March 1942 Suggests that certain powers conferred under the Defence of India Rules exclusive on the Deputy Commissioners be delegated to the Sub-Division Officers

Kind reference is invited to Govt. Notification No. R.L. 1689-Legis 2-41-92, dated 9th March 1942 wherein certain powers under the Defence of India Rules have been conferred on the Deputy Commr and the Sub-Division Officers. But the power under Rules 51(a), 51(b) and 51(f) of are exercisable exclusively by the Deputy Commissioners. These rules refer to watching of premises to detect fire, measures for dealing with outbreaks of fire and the power to require local authorities to take precautionary measures.

The Deputy Commissioner, Kolar District, suggests in his letter that the powers under Rules 51(a), 51(b) and 51(f) may be delegated to the Sub-Division Officers for the reasons stated in the D.O. He further suggests that the same powers may be delegated to the Special

NOTE—Contn. Sheet.

Delegation of certain powers under the Defence of India Rules

File No. 947/Rl. of 194 .

General and Revenue Secretariat
R. A. & L. C.

Serial No.

First class Magistrati, K.G.F, in respect of Kolar Gold Fields area, as a special case

Submitted for orders for issuing the Notifications, if considered necessary, delegating the powers referred above, to the Sub-Asst Sub-Division Officers, and the Special First class Magistrati K.G.F.

20. 19.3.42 BVN 19/3

Copies of the Bihar Gazette Extra-ordy dated 27th December 1941, and 28th January 1942 are put up herewith ~~The Govt of Bihar have delegated powers under Rules 64, 50, 51, 51(A) and 51(B) of the Defence of India Rules to officers below the rank of District Magistratis etc.~~ (Vide Notifications dated 27th Dec 1941) × Flag (O)

21. 24-3-42 BVN 24/3

The Deputy Commissioner, Kolar suggests that the powers under Rules 51A, 51B and 51F may be delegated to the Sub-Div Officers in order to obviate the delay which would otherwise be caused in their having to obtain orders from the Deputy Commissioner.

Rule 51A is intended, as is apparent from sub-rule (3) of that rules, for measures being taken for the detection and

Serial No.

OFFICE OF THE MINISTER FOR LAW
MAR 28 1942
No 9897

extinctions of fires that may be caused in the course of any defence exercise. Rule 51F confers powers to require local authorities to take precautionary measures in the event of hostile attacks. The two rules do not therefore contemplate so emergent a situation as would call for a sudden exercise of the powers conferred thereon, for the place in which defence exercises are to be held and refractory local authorities if any would be known beforehand to the D.C. who can take measures to deal with them. It does not appear necessary therefore to delegate the powers under the two rules to S.D.Os.

Rule 51B confers powers to take measures to deal with outbreaks of fire caused by hostile attacks by air. The situations contemplated by the rule is an emergent one, and it is for consideration whether the powers conferred therein may not be delegated to the S.D.Os.

As regards the K.G.F. area in view of its peculiar position the powers delegated to S.D.Os. may be delegated to the Special First Class Magistrates there as proposed by the Deputy Commissioners.

MWW 22/3

Law Secy) The proposal of the D.C. may be approved

Minister for Law)

HM 2 28/3/42

MWW 28/3

SECT. SEPT. 1942 2530 SECT. OFFICE OF THE COMMISSIONER OF MYSORE

NOTE—Contn. Sheet.

WD 9155—GPB—55,000—23-10-41

GuRR.

Letter re delegation of powers under the Defence of India Rules to Sub-Divisional Officers

File No. of 194 .

General and Revenue Secretariat

Serial No.

All the powers are for prescribing certain rules and measures. They are incidental to the same. It is not necessary to empower S.D.O's.

The Dy. Commr may familiarise himself the Subordinates with the rules and their working & renew his proposal later, if necessary.

As regards K.G.B, he may study the question in the light of the discussions at the last meeting of Dy. Commrs at B'ore & suggest the suggestion to grant even more extensive powers to the Govt might there, & submit proposals in consultation with the Chief Engr of Mines & Officers of other Dept in the area.

Rs
1/4

Hm
2
11/4/42

Draft Please.

SDS
2.4.42

Draft letter to the Deputy Commissioner, Kolar District, embodying the minutes of the minister for law, is put up for consideration

Please type as revised and put up

N.
7.4.42

Eaik.

SDS
7.4.42

PSDM
7/4

Serial No.

SECRETARIAT 29 04 7 APR 1942 GOVT OF MYSORE

The draft reply is for approval

7.4.42

Law Secy)

Hm
2
8/4/42

Issue
8.4.42

Issued No RL 2271 dated 10th April 1942 to the Deputy commissioner Kolar District

States that it is considered unnecessary now to delegate powers under rules 51(A) 51(B) and 51(H) of the Defence of India Rules to the Sub Divisional Officers.

Hm

The Deputy commissioner Kolar District letter No P.I.C 1100/41-42 dated 6th April 1942 Requests that the orders of Govt in the matter referred to in this letter dated 16-3-42 may be communicated

* Flag (A) orders of the Govt have been passed in regard to the delegation of powers under rules 51(A), 51(B) and 51(H) of the Defence of India Rules to the Sub Divisional Officers, and have been communicated to the Deputy commissioner Kolar District.

Submitted for orders whether any

NOTE—Contn. Sheet.

Delegation of certain powers under the Defence of India Rules to the Sub-Divisional Officers

File No.. of 194 .

1031/R2

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Any action is necessary on the P.U.D. which refers to the same subject

This is only a reminder to the original Communication to which a reply has been sent with this office letter No. Rl 2271 Dated 10-4-1942. No further action appears necessary & these papers may now be recorded.

11-4-42

BVND
11-4-42

11-4-42

OFFICE OF THE SECRETARY
11 APR. 1942
TO THE GOVERNOR
AND
LEGISLATIVE COUNCIL

1031/42

# GOVERNMENT OF MYSORE

*Telegraphic Address*

**OFFICE OF**
THE DEPUTY COMMISSIONER & CIVIL DEFENCE COMMISSIONER, KOLAR.

**No.** J.1.C.1100/41-42.
**Encls.**

IMMEDIATE.

**Date** 6th April 1942.

**To**

The Chief Secretary to Government
of Mysore, Bangalore.

Legis.

7. APR. [illegible]
CHIEF
GOVT. OF MYSORE

OFFICE OF [illegible]

Sir,

I have the honour to invite your kind reference to this Office letter of even number dated 16-3-1942 in regard to the delegation of certain powers under the Defence of India Rules to the Sub Division Officers and the Special First Class Magistrate, K.G.F. and to request that orders of Government may kindly be obtained in the matter and communicated to me early.

I have the honour to be,
Sir,
Your most obedient servant,

DEPUTY COMMISSIONER & CIVIL DEFENCE COMMISSIONER, KOLAR DIST.

Confidential.

No. R.L.2271

10th April 1942.

To

The Deputy Commissioner and
Civil Defence Commissioner,
Kolar District.

S i r,

With reference to your letter No.J.I.C. 1100/41-42, dated 15th March 1942, suggesting that powers under rules 51(a), 51(b) and 51(f) of the Defence of India Rules as applied to Mysore might be delegated to Sub Division Officers and that the powers exercisable by the Sub Division Officers may be delegated to the Special First Class Magistrate, K.G.F. in respect of K.G.F. area, I am directed to state that it is considered unnecessary now to delegate such powers to the Sub Division Officers and that the proposal may be renewed sometime later, if it is found necessary after the working of the Rules has been watched for sometime.

As regards your suggestion that the Special First Class Magistrate, K.G.F., may be conferred with powers similar to those delegated to the Sub Division Officers, I am to request you to kindly study this question in the light of the discussions at the last meeting of the Deputy Commissioners held at Bangalore, and submit proposals in consultation with the Chief Inspector of Mines and officers of other departments in the K.G.F. area.

I have etc.,

8/4/42

Secretary to Government,
Law Department.

CKS.

Confidential.

No. R. L. 2271.

9th April 1942.
10th

The Deputy Commissioner and
Civil Defence Commissioner,
Kolar District.

Sir,

With reference to your letter No.J.I.C.1100/41-42, dated 15th March 1942, suggesting that powers under rules 51 (a), 51 (b) and 51 (f) of the Defence of India Rules as applied to Mysore, might be delegated to Sub Division Officers and that the powers exercisable by the Sub Division Officers may be delegated to the Special First Class Magistrate, Kolar Gold Field, in respect of Kolar Gold Field area, I am directed to state that it is considered unnecessary now to delegate such powers to the Sub Division Officers and that the proposal may be renewed sometime later, if it is found necessary after the working of the Rules has been watched for sometime.

As regards your suggestion that the Special First Class Magistrate, Kolar Gold Field, may be conferred with powers similar to those delegated to the Sub Division Officers, I am to request you to kindly study this question in the light of the discussions at the last meeting of the Deputy Commissioners held at Bangalore, and submit proposals in consultation with the Chief Inspector of Mines and officers of other departments in the Kolar Gold Field area.

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
Law Department.

HKR.

947/Rx

# GOVERNMENT OF MYSORE

*Telegraphic Address* Confidential

No. J.1.C.1100/41-42.
Encls.

MWDV

OFFICE OF
DEPUTY COMMISSIONER, KOLAR DT.

Date 15th March 1942

To

The Chief Secretary to
the Government of Mysore,
BANGALORE.

Legis
18.MAR.1
Sir,

Adverting to Government notification No.R.L.1689-Legis.2-41-92 dated the 9th March 1942 conferring certain powers under the Defence of India Rules on the Deputy Commissioners and the Sub Division Officers, I have the honour to state that the powers under - Rules 51(a), 51(b) and 51(f) are exercisable exclusively by the - Deputy Commissioners. As the measures contemplated in these rules are designed to meet an emergent situation, it is desirable that - these powers should be delegated to the Sub Division Officers who will be in immediate touch with the situation in their respective jurisdictions, in order to obviate the delay which would otherwise be caused in their having to obtain orders from the Deputy Commissioner. I, therefore, request that orders of Government may kindly be obtained for delegating the powers under rules 51(a), 51(b) and 51(f) to the Sub Division Officers.

In this connection, I wish to state that in view of the - Special importance of the Kolar Gold Fields area, it is desirable that the powers conferred on the Sub Division Officers by the aforesaid - Government notification should be vested in an Officer working at K.G.F. and who knows the conditions of that area intimately. I, therefore, request that the powers exercisable by the Sub Division - Officers under the said government notification may be kindly conferred on ~~the~~ Special First Class Magistrate, K.G.F., in respect of Kolar - Gold Fields area.

P.T.O.

Kolar Gold Fields area.

I have the honour to be,
Sir,
Your most obedient servant,

S. Narayanaswamy

DEPUTY COMMISSIONER AND CIVIL
DEFENCE COMMISSIONER, KOLAR DT.